

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-12 are currently pending. Claims 1-2, and 4-5 have been amended; Claims 7-12 have been added; and the specification has been amended by the present amendment. No new matter has been added.

In the outstanding Office Action, the specification was objected to as having a non-descriptive Title; Claims 1, 2, 4, and 5 were rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,058,277 to Streefkerk et al. (hereafter “the ‘277 patent”); and Claims 3 and 6 were rejected under 35 U.S.C. §103(a) as unpatentable over the ‘277 patent in view of U.S. Patent No. 7,283,258 to Kuno et al. (hereafter “the ‘258 patent”). Further, the Office Action indicated that a certified copy of the foreign priority application as required by 35 U.S.C. §119(b) has not been filed.

Applicants respectfully submit that a certified copy of the foreign priority application, as required by 35 U.S.C. §119(b), was filed in the immediate parent case, Application No. 09/986,596, now U.S. Patent No. 6,709,176 B2.

The Title of the invention has been amended. Applicants respectfully submit the amended Title is descriptive, and respectfully request the objection to the specification be withdrawn.

In response to the rejection of Claims 1, 2, 4, and 5 under 35 U.S.C. §102(e), Applicants respectfully request reconsideration of this rejection, and traverse the rejection as discussed next.

Independent Claim 1 is directed to a printing job controlling device configured to display a queue of printing jobs. The printing job controlling device includes a calculating unit configured to calculate a time required to process a printing job. The printing job

controlling device also includes a reading unit configured to read out a current status of the printing job. The controlling device further includes a displaying unit configured to display an image having a size proportional to the time required calculated by said calculating unit and having a *pattern that changes according to the current status* read out by said reading unit.

Turning now to the applied art, the '277 patent describes a printing device for printing images on sheets of print media. The printing device includes a display which shows a circular pie chart that represents an estimate of the expected total processing time for a print job.¹ "A graphic display is also shown, in the form of a colored or shaded segment 408 of a circle. The shaded circle segment 408 represents the estimated waiting time before the printer selected in the printer option area 407 is available to execute the print order."² Thus, the '277 patent describes a circular pie chart which shows segments representing the waiting time of print jobs. The '277 patent describes displaying multiple print orders in a single pie chart. "Each print order is allocated its own circle segment 801-806 [with] the central aperture angle [corresponding] to the expected processing time."³ The multiple print orders are indicated by different patterns.⁴ Thus, the patterns shown in the '277 patent correspond to different print orders.

However, the '277 patent is silent on a *pattern that changes according to the current status read out by said reading unit*, as recited by independent Claim 1. Independent Claim 4 also recites the feature of a *pattern that changes according to the current status read out by said reading unit*. Accordingly, Applicants respectfully submit that Claims 1 and 4 patentably define over the applied art.

¹ '277 patent, column 5, lines 1-3.

² '277 patent, column 4, lines 64-66.

³ '277 patent, column 6, lines 26-28.

⁴ '277 patent, Figure 8, elements 801-806.

Amended independent Claim 2 recites *inter alia* a displaying unit configured to display an image of a current print job having a size proportional to the time calculated by said calculating unit continuously on a predetermined displaying area ***at a fixed location***.

The '277 patent describes how an hour hand and a minute hand of an analog clock are superimposed on top of the circular pie chart, to indicate the flow of time.⁵ A pie-shaped image segment representing the waiting time of a current job is displayed on the pie chart, at a location corresponding to the current time. Thus the initial position of the pie-shaped image is not fixed, but changes based on current time shown by the hands of the clock. "The side 409 of the circle segment **moves** with the minute hand."⁶ Thus, the image segment representing the current print job is aligned with a sweeping hand of the clock. This causes the image to move according to the current time displayed by the hands of the clock superimposed on the display. Therefore, the position of the image representing the current job is not fixed in one location, but instead moves around a circle based on the flow of time.

Therefore, the '277 patent does not describe displaying an image of a current printing job ***at a fixed location***, as recited by independent Claim 2. Independent Claim 5 also recites the feature of displaying images ***at a fixed location***. Accordingly, Applicants respectfully submit that Claims 2 and 5 patentably define over the applied art.

Accordingly, Applicants respectfully request the rejection of Claims 1, 2, 4, and 5 under 35 U.S.C. §102(e) be withdrawn.

In response to the rejection of Claims 3 and 6 under 35 U.S.C. §103(e), Applicants respectfully request reconsideration of this rejection, and traverse the rejection as discussed next.

⁵ '277 patent, column 5, lines 8-11.

⁶ '277 patent, column 5, lines 12-13.

Independent Claim 3 recites *inter alia* a display unit configured to display **rectangular images** each having a size proportional to the time required calculated by a calculating unit continuously on a predetermined displaying area.

As discussed above, the '277 patent describes circular shaped images to display the waiting time of print jobs. In fact, the '277 patent shows a clear preference for the circular shape, and compares it to alternatives. The '277 patent states "the invention utilizes a display adapted to display a segment of a circle."⁷ "A graphic representation of this kind for the order processing [of] time signals makes it much easier for a user to rapidly gain an idea of the values thereof."⁸ "The shape also intuitively links up with an analogue clock and hence the interpretation is also apparent. This is in **contrast**, for example, **with a bar diagram**."⁹ Thus, the '277 patent recognizes the possibility of using a bar diagram, but teaches against it as inferior to the circular shape set forth.

The outstanding Office Action acknowledges the '277 patent fails to disclose or suggest images proportional to the time calculated as rectangular images, and asserts the '258 patent describes a graphical display to indicate statistics of printing apparatuses, and suggests it would have been obvious to one of ordinary skill in the art at the time the invention was made "to utilize rectangular images (bar diagram) as taught by Kuno ['258 patent] to graphically show the user the processing time."¹⁰

However, as shown above, the '277 patent teaches against using a bar diagram. Therefore, it would not have been obvious to one of ordinary skill in the art to combine the teachings of the '277 patent and the '258 patent.

Independent Claim 6 also recites the feature of displaying rectangular images having sizes proportional to the times required on a predetermined display area.

⁷ '277 patent, column 2, lines 1-2.

⁸ '277 patent, column 2, lines 5-7.

⁹ '277 patent, column 2, lines 9-12.

¹⁰ Outstanding Office Action, page 5, line 20 to page 6, line 7.

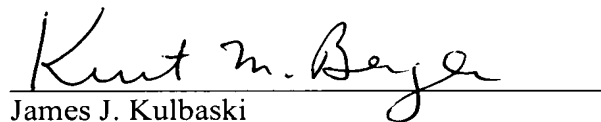
Accordingly, Applicants respectfully request the rejection of Claims 3 and 6 under 35 U.S.C. §103(a) be withdrawn.

To vary the scope of protection recited in the claims, new Claims 7-12 have been added. Support for Claims 7-12 can be found in the original specification.¹¹ Thus, no new matter is added. By virtue of dependency, Claims 7-12 are believed to be allowable.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Registration No. 34,648
Attorney of Record

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)

Kurt M. Berger, Ph.D.
Registration No. 51,461

I:\ATTY\GSD\24s\248025US\248025US-AM_DUE_5.7.08.DOC

¹¹ Applicants' original specification, Figure 14, and associated text.